

**OPINION
59-98**

May 20, 1959 (OPINION)

EDUCATION

RE: State Equalization Fund - Non-High School Districts
 - Tuition Payments

We have received your request for an opinion with reference to tuition payments.

By statute, all non-high school districts must pay tuition fees based on the average county cost of education less payments from the county and state equalization funds. The combined amount paid annually per pupil from these funds is now \$234.00. Effective July 1, 1959, the new foundation program becomes effective. This new law reduces the payment to \$198.00. The payments are presently made at the end of each semester based on attendance during the previous semester.

The question then is, which figure will be used or subtracted from the county average to determine the tuition fees non-high school districts must pay for the last semester of the 1958-59 school year?

It is our opinion that for the 1959-60 school year credit must be given for \$117.00 received as the balance due on high school tuition, and county high school equalization fund payments, plus the \$198.00 from the foundation program. Thus, for the 1959-60 school year \$315.000 should be allowed. For the 1960-61 school year \$198.00 should be allowed.

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